

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450



Docket No.: 486.1001

Date: March 6, 2006

In re application of: David L. RHODES
Serial No.: 09/726,087
Filed: November 29, 2000
For: **COLLABORATIVE HOST MASQUERADING SYSTEM**

Sir:

Transmitted herewith is a **Statement of Substance of Interview under 37 CFR §1.133** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
 - ☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
 - ☒ No fee for additional claims is required.
 - ☐ A filing fee for additional claims calculated as shown below, is required:
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- ☐ Also transmitted herewith are:
 - ☐ Petition for extension under 37 C.F.R. 1.136
 - ☐ Other:
 - ☐ Check(s) in the amount of **\$0.00** is/are attached to cover:
 - ☐ Filing fee for additional claims under 37 C.F.R. 1.16
 - ☐ Petition fee for extension under 37 C.F.R. 1.136
 - ☐ Other:
 - ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
 - ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 - ☒ Any patent application processing fees under 37 C.F.R. 1.17.
 - ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with sufficient postage to the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on

March 6, 2006

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 



486.1001US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: David L. RHODES
Serial No.: 09/726,087
Filed: November 29, 2000
For: **COLLABORATIVE HOST MASQUERADING**

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 6, 2006

Sir:

In response to the Notice of Allowability dated February 3, 2005, which included an Interview Summary form regarding an interview conducted on January 19, 2005, for which a thirty day response period for filing a Statement of Substance of Interview was set, which expires on Monday, March 6, 2006¹, Applicants provide the following statement.

During an Examiner-initiated interview on January 19, 2005, the Examiner suggested revising claims 1 and 53 to recite that the "need exists based on" network congestion (claims 17 and 57) and/or load balancing (Claims 18 and 58), and suggested that applicants consider making amendments to dependent claims 3, 19-23, 27-30, 40, 44 to provide clearer antecedent basis.

In response applicants submitted revised set of claims on January 19, 2006 in an Applicant Initiated Interview Request Form, explaining

Attached is an amended set of claims which applicant's counsel believes conform to the Examiner's suggestion for an Examiner's Amendment.

¹ Thirty days from February 3, 2006 is March 5, 2006, which is a Sunday.

However, Applicant's counsel has added the following language to the Examiner's suggested language for claims 1 and 53 "and/or transfer latency and/or effective bandwidth". Support for this language is found on the last two lines of page 4.

Applicant has also revised claim 7. Support for this amendment is found on page 5, lines 4-6.

Thereafter, during the requested telephone interview, the Examiner questioned the "and/or" terminology in claims 1 and 53 on the grounds that this alternative language was indefinite, and, in response, applicant proposed the following language: "one of network congestion, load balancing, transfer latency, and effective bandwidth." The Examiner agreed to this proposal and indicated that an Examiner's amendment would be forthcoming.

Respectfully submitted,

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